

STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING

Rec'd
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Department of Health Services v.
Catherine George, LPN, License No. 009013
159 Warner Road
North Haven, CT 06473
CASE PETITION NO. 900123-11-002

MEMORANDUM OF DECISION

INTRODUCTION

The Board of Examiners for Nursing (hereinafter the "Board") was presented by the Department of Health Services (hereinafter the "Department") with a Statement of Charges dated August 16, 1991. (State Exhibit 1) The Statement of Charges alleged violations of certain provisions of Chapter 378 of the General Statutes of Connecticut by Catherine George, LPN (hereinafter the Respondent).

The Board issued a Notice of Hearing dated August 20, 1991. The hearing took place on September 24, 1991 in Room 112, National Guard Armory, Maxim Road, Hartford, Connecticut.

Each member of the Board involved in this decision attests that he/she was present at the hearing or has reviewed the record, and that this decision is based entirely on the record and their specialized professional knowledge in evaluating the evidence.

FACTS

Based on the testimony given and the exhibits offered into evidence, the Board made the following findings of fact:

1. Catherine George, hereinafter referred to as the Respondent, was issued Connecticut Licensed Practical Nurse License Number 9013 on December 8, 1967 and was at all times referenced in the Statement of Charges the holder of said license. (State Exhibit 4)
2. Pursuant to the General Statutes of Connecticut, Section 4-182(c), the Respondent was provided full opportunity prior to the institution of agency action to show compliance with all the terms for the retention of her license. (State Exhibit 2)
3. The Respondent was aware of the time and location of the hearing. State's Exhibit 1 indicates that notice of the location and time of this hearing were delivered by certified mail to the Respondent's address of record.
4. The Respondent was not present at the hearing and was not represented by counsel.
5. Beginning on or about January, 1989 the Respondent began abusing the controlled substance Cocaine. (State Exhibit 5) (Hearing Transcript, September 24, 1991, p. 7)

6. On December 2, 1989 the Respondent was observed by officers of the New Haven, Connecticut Police Department in an area of New Haven known for illegal drug sales. The Respondent was observed by police officers purchasing a small packet from a suspected drug dealer. The Respondent was apprehended by the police officers and was found in possession of the packet which she had purchased. The packet contained a white powder which was subsequently identified as the controlled substance Cocaine. (State Exhibit 5) (Hearing Transcript, September 24, 1991, p. 6)
7. On December 2, 1989 the Respondent was arrested by the New Haven Police and charged with possession of narcotics and convicted and granted accelerated rehabilitation. (State Exhibit 5)
8. The Respondent's practical nurse license number 9013 expired on November 30, 1990. (State Exhibit 4)

DISCUSSION AND CONCLUSIONS

The FIRST COUNT SUBSECTION 2a of the Statement of Charges alleges that during 1989 the Respondent "abused the controlled substance cocaine;"

The Respondent was not present at the hearing to answer to this charge.

The General Statutes of Connecticut, Section 20-99(b) prohibits conduct which fails to conform to the accepted standards of the nursing profession including "... (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals...."

The Respondent admits to this charge. Specifically, the Respondent admitted in verbal statements to Division of Medical Quality Assurance Investigator Jeffrey A. Kardys, that she began abusing the controlled substance Cocaine beginning in January 1989. (Fact No. 5)

The Board concludes that the Respondent violated the General Statutes of Connecticut, Section 20-99(b)(5) by her conduct of abusing the controlled substance Cocaine.

The FIRST COUNT SUBSECTION 2b and 2c of the Statement of Charges alleges the Respondent "(b) possessed cocaine on or about December 2, 1989; and/or c) purchased cocaine illegally on or about December 2, 1989."

The Respondent was not present at the hearing to answer to these charges.

The General Statutes of Connecticut, Section 20-99(b) prohibits "conduct which fails to conform to the accepted standards of the nursing profession...."

Based on Facts No. 6 and 7 the Board concludes the Respondent violated the General Statutes of Connecticut Section 20-99(b) by the conduct of purchasing and possessing Cocaine as specified in Subsections 2b and 2c of the First Count.

ORDER

Pursuant to its authority under the General Statutes of Connecticut, Sections 19a-17 and 20-99, the Board hereby orders:

1. That for the First Count, Subsection 2a, the practical nurse license of the Respondent be revoked.
2. That for the First Count, Subsection 2b, the practical nurse license of the Respondent be revoked.
3. That for the First Count, Subsection 2c, the practical nurse license of the Respondent be revoked.
4. The date of revocation shall become effective on April 15, 1992.

The Respondent, Catherine George, is hereby directed to surrender her Practical Nurse License No. 9013 to the Board of Examiners for Nursing, 150 Washington Street, Hartford, Connecticut 06106, on or before April 15, 1992.

The Board of Examiners for Nursing hereby informs the Respondent and the Department of Health Services of the State of Connecticut of this decision.

Dated at Hartford, Connecticut, this 20 day of February, 1992.

BOARD OF EXAMINERS FOR NURSING

BY

Janice Thibodeau R.N.

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